UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Application Number: 10/600,021
Filing Date: June 20, 2003
Appellant(s): ALBORNOZ ET AL.

Gero G. McClellan
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed 2/15/2008 appealing from the Office action

mailed 9/06/2007.

(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

6,956,593	GUPTA	10-2005
2002/0184401	KADEL	12-2002

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claim Rejections - 35 USC § 102

1.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2.   **Claims 1, 6-15, 18-25, 27, 30, 32--37** are rejected under 35 U.S.C. 102(e) as being anticipated by Gupta et al. (US 6,956,593 B1), hereinafter "**Gupta**".

As per claim 1, Gupta teaches a method for exchanging information between entities on a network comprising:

- "identifying a plurality of annotatable data objects manipulated by a plurality of applications on the network" at Col. 1 lines 63-65, Col. 4 lines 28-31;

- "providing a set of annotation structures, each associated with one or more of the annotatable data objects and each defining attributes of one or more user

interfaces for manipulating annotations for the annotatable data objects" at Col. 7

lines 27-39, Col. 9 lines 15-25, Col. 12 line 55 to Col. 13 line 32 and Figs. 7-11;

- "wherein the one or more user interfaces comprises at least one graphical user

  interface, based on an associated annotation structure" at Figs. 7-11.

- "providing one or more transforms for use in transforming annotations structure

  into graphic user interface" Col. 12 line 55 to Col. 13 line 32 and Figs. 7-11.

- "providing, via an annotation management system on the network, the one or

  more user interfaces, wherein elements of each user interface are dependent on

  the attributes defined by an associated one of the annotation structures and

  wherein the elements are configured for user input corresponding to the

  manipulating of the annotations" at Col. 12 line 55 to Col. 13 line 32, Col. 14 line

  50 to Col. 15 line 45 and Figs. 7-1

- "wherein providing the at least one graphical user interface comprises

  transforming the associated annotation structure" at Col. 12 line 55 to Col. 13 line

  32 and Figs. 7-11.

As per claim 6, Gupta teaches the method of claim 1, further comprising:

"installing one or more plug-in components for interfacing between the one or more

applications and the annotation management system" at Col. 6 lines 30-63 and Fig. 3.

As per claim 7, Gupta teaches the method of claim 6, further comprising:

"installing an annotation broker on the one or more client computers, the annotation

broker providing an interface between one or more of the plug-in components and the

annotation server" Fig. 3.

As per claim 8, Gupta teaches the method of claim 1, further comprising

"installing a set of application programming interface functions for the annotation

management system, callable from the one or more application" at Col. 6 lines 30-63.

As per claim 9, Gupta teaches the method of claim 8, wherein "the set of

application programming interface functions comprise functions for manipulating

annotations" at Col. 6 lines 30-63.

As per claim 10, Gupta teaches the method of claim 8, wherein "the set of

application programming interface functions comprise functions for retrieving

annotations for a specified data object" at Col. 16 liens 35-38.

As per claim 11, Gupta teaches the method of claim 8, wherein "the set of

application programming interface functions include functions for retrieving an indication

of data objects described by an annotation" at Col. 16 lines 7-65.

As per claim 12, Gupta teaches the method of claim 8, wherein "the set of

application programming interface functions comprise at least one function for retrieving

an indication of the plurality of annotatable data object" at Col. 16 lines 7-65.

As per claim 13, Gupta teaches the method of claim 1, wherein "providing the annotation structures comprises selecting, for each annotation structure, one or more annotation fields to include in the annotation structure" at Col. 16 lines 7-65.

As per claim 14, teaches the method of claim 13, wherein "at least some of the one or more user interfaces include elements allowing a user to enter information corresponding to one or more annotation fields included in an associated annotation structure" at Fig. 7-11.

As per claim 15, Gupta teaches a method of creating annotations for a plurality of different type data objects comprising:

- "receiving a request from a user to create an annotation for a data object" at Col. 12 lines 55-60;

- "retrieving, from a set of annotation structures, one or more annotation structures associated with the data object and dependent, at least in part, on at least one credential of a user initiating the request" at Col. 12 line 55 to Col. 13 line 32

- "wherein the at least one credential comprises a role of the user, and each annotation structure containing one or more annotation fields" at Col. 12 line 55 to Col. 13 line 32 and Col. 9 lines 15-25;

- "generating a graphical user interface based on one of the annotation structures, the graphical user interface allowing entry of information corresponding to the

one or more annotation fields associated with the one annotation structure" at

Col. 12 line 55 to Col. 13 line 32 and Fig. 7-11;

- "creating an annotation record comprising the information entered, via the

   graphic user interface, for the one or more annotation fields" at Col. 13 lines 10-

   50.

As per claim 18, Gupta teaches the method of claim 15, wherein a plurality of

annotation structures are associated with the data object (Col. 12 line 55 to Col. 13 line

32) and the method further comprises:

- "presenting, to a user, the plurality of annotation structures associated with the

   data object" at Col. 14 lines 49-65;

- "receiving, from the user, a selection of one of the plurality of annotation

   structures" at Col. 14 lines 49-65;

- "generating the graphical user interface based on the selected annotation

   structure" at Col. 14 lines 49-65.

As per claim 19, Gupta teaches the method of claim 18, further comprising:

"receiving, from the user, a selected role in which the user has chosen to act" at Col. 9

lines 15-25 and Col. 12 line 55 to Col. 13 line 32.

As per claim 20, Gupta teaches the method of claim 19, wherein "the plurality of annotation structures presented to the user is dependent on the selected role" at Col. 12 line 55 to Col. 13 line 32.

As per claim 21, Gupta teaches the method of claim 19, further comprising: "retrieving, via an application programming interface, a plurality of roles associated with the user; and presenting, to the user, the plurality of roles associated with the user" at Col. 12 line 55 to Col. 13 line 32.

As per claim 22, Gupta teaches the method of claim 15, wherein "retrieving one or more annotation structures associated with the data object comprises passing an application programming interface function at least an indication of the data object" at Col. 6 lines 30-63.

As per claim 23, Gupta teaches the method of claim 22, wherein "retrieving the one or more annotation structures associated with the data object further comprises passing the application programming interface function at least one credential of a user" at Col. 6 lines 30-63 and Col. 9 lines 15-25.

As per claim 24, Gupta teaches the method of claim 22, wherein "the at least one user credential comprises at least one of a role and a user identification" at Col. 9 lines 15-25.

Claims 25-27, 30-37 recite similar limitations as discussed in claims 1-4, 6-15,

18-24 above and are therefore rejected by the same reasons.

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

4.   **Claim 5** is rejected under 35 U.S.C. 103(a) as being unpatentable over Gupta as

applied to claims above, and in view of Kadel et al. (US 2002/0184401 A1), hereinafter

Kadel.

As per claim 5, Gupta teaches the method of claim 4 as discussed above. Gupta

does not explicitly teach "the one or more transforms comprise one or more Extensible

Stylesheet Language Transforms" as claimed. However, XSLT is well known for

transforming and exchanging information between entities on a network, as exemplary

by Kadel at [0084]. Thus, it would have been obvious to one of ordinary skill in the art at

the time of the invention was made to implement Gupta's method using XSLT in order

to provide a standard method for transforming and exchanging information between

entities on a network.

(10) Response to Argument

Appellant's Invention

As seen in Fig. 6A below, Appellant's invention is directed to a method for

allowing a user to manipulate (create, view, edit) annotation for a data object

(document, image, video file), wherein the graphic user interface 551 for creating

annotation is generated based on annotation structures 149 stored on a annotation

server and the role of the user 504.

19/28
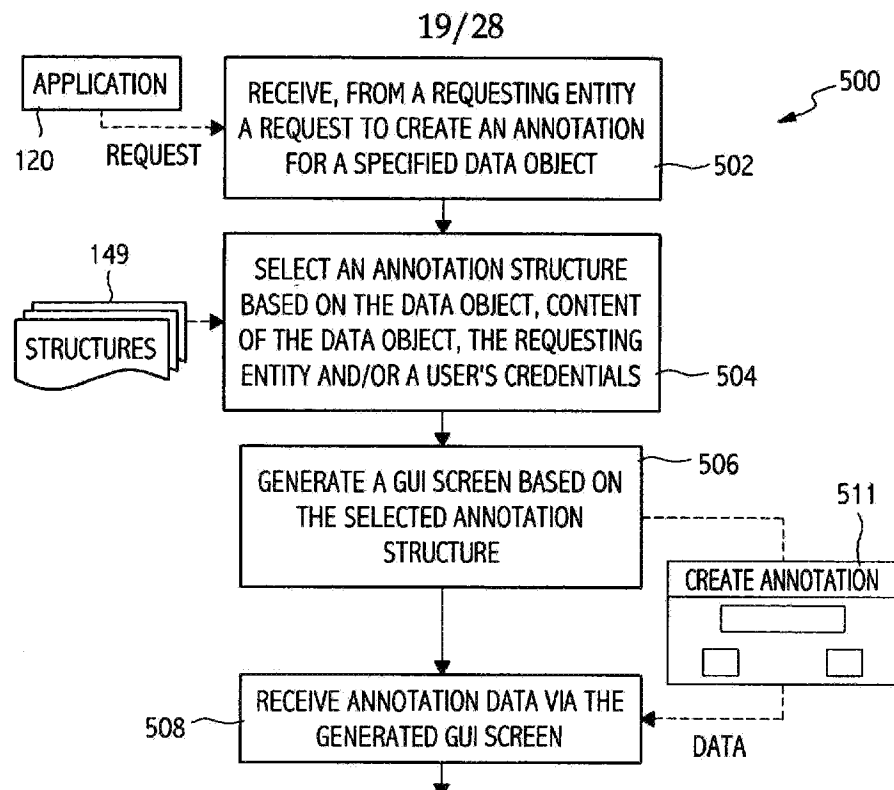
For example, Appellant's Fig. 8B shows two different graphical user interfaces

(i.e. Form) for creating annotation for two different types of users : default user and

inventor user, each having different fields based upon different annotation structures.

FORM: DEFAULT

DEFAULT DATA OR DESCRIPTION:

Quality:
☐ Good
☐ Acceptable   812B
☑ Marginal
☐ Poor   814B

Keywords:

Comments:

810B

Patent_Draft. V1

FIG. 8B

FORM: INVENTOR FEEDBACK

DEADLINE 01/01/01

FEEDBACK

Status:
☐ Good
☑ Acceptable   812C
☐ Needs Revision
☐ Needs More Info

Patent Attorney: C. Moore   814C
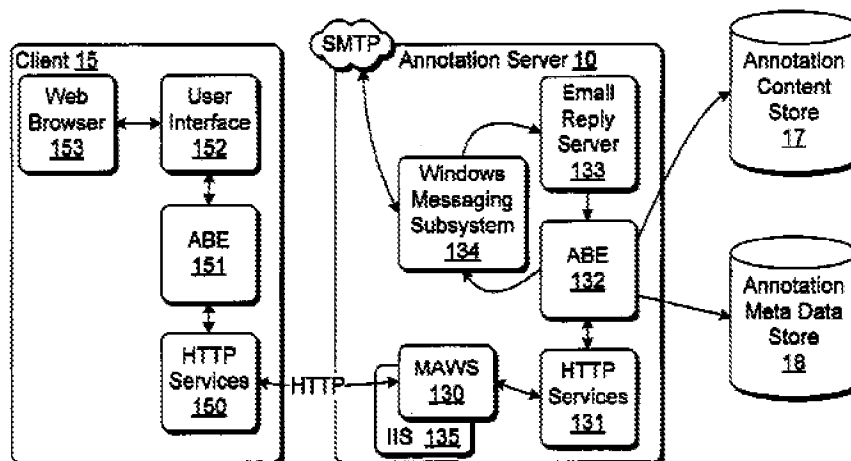Inventor: A. Smith

Inventor
Comments:

810C

Patent_Draft. V1

FIG. 8C

Gupta's annotation system:

Gupta teaches a system which allows user of the client 15 to create annotation

for a data object via the user interface 152 using data structures from annotation data

stores 17, 18.

Fig. 3

Gupta teaches at Fig. 7 a graphical user interface for creating new annotation

comprising multiple fields, wherein the graphic user interface is generated based upon

"annotation entry" data structure as shown in Fig. 4. Each of the field in the user

interface 280 corresponds to a field in the "Annotation Entry" 180. For example,

annotation set identifier 282 on the left (Fig. 7) corresponds to set identifier 198 on the

right (Fig.4), and subject line 284 of Fig. 7 corresponds to title field 190 of Fig. 4 (See

also the text portions describe Figs. 4, 7 reproduced below). The role of the users are

also considered in generating the user interface, Gupta teaches that "only those sets for

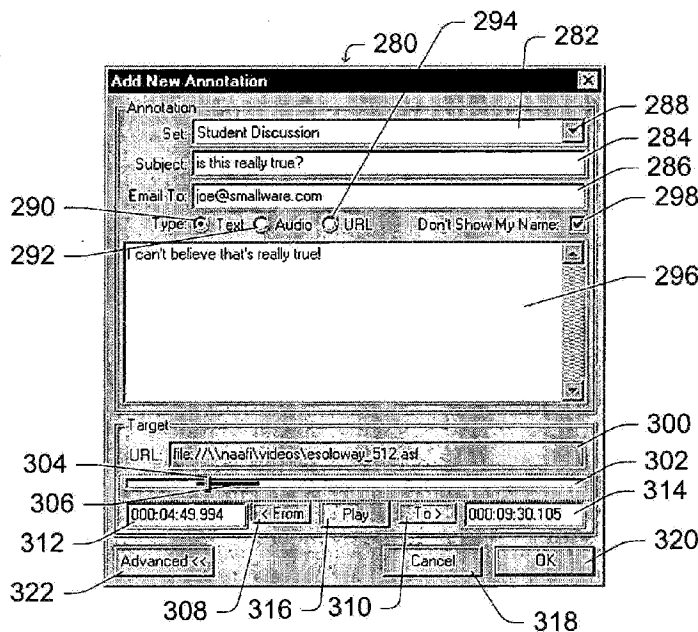which the user has write access can be entered as set identifier 282".

Fig. 7

Fig. 4

FIG. 7 shows an exemplary "add new annotation" dialog box 280 that allows a user to create a new annotation. Dialog box 280 can be presented, for example, in response to user selection of add button 264 of FIG. 6.

60   Dialog box 280 includes an annotation set identifier 282, a subject line 284, and an email field 286. Annotation set identifier 282 allows the user to identify a named set to which the new annotation will belong. This set can be a previously defined set, or a new set being created by the user.

65   Selection of the particular set can be made from a drop-down menu activated by selection of icon 288, or alternatively can be directly input by the user (e.g., typed in using an

alphanumeric keyboard). According to one embodiment of the invention, annotation server 10 of FIG. 3 supports read and write access controls, allowing the creator of the set to identify which users are able to read and/or write to the annotation set. In this embodiment, only those sets for which the user has write access can be entered as set identifier 282. Alternatively, rather than (or in addition to) user selection of an annotation set, one or more annotation sets may be inherently associated with dialog box 280 (or toolbar 250 of FIG. 6) and thus implicitly selected for each new annotation.

Subject line 284 allows the user to provide a short summary or title of the annotation content. Although the subject line is illustrated as being text, it could include any of a wide variety of characters, alphanumerics, graphics, etc. In the illustrated embodiment, subject line 284 is stored in the title field 190 of the annotation entry of FIG. 4.

Annotation Storage Structure

FIG. 4 shows an exemplary structure for an annotation entry 180 that is maintained by annotation server 10 in annotation meta data store 18 of FIG. 3. In the illustrated 30 example, the annotation entry 180 includes an author field 182, a time range field 184, a time units field 186, a creation time field 188, a title field 190, a content field 192, an identifier field 194, a related annotation identifier field 196, a set identifier(s) field 198, a media content identifier field 35 200, an arbitrary number of user-defined property fields 202, and a sequence number 204. Each of fields 182–204 is a collection of data which define a particular characteristic of annotation entry 180.

Author field 182 contains data identifying the user who 40 created annotation entry 180 and who is therefore the author of the annotation. The author is identified by ABE 151 of FIG. 3 based on the user logged into client 15 at the time the annotation is created.

Time range field 184 contains data representing "begin" 45 and "end" times defining a segment of media timeline to which annotation entry 180 is associated. Time units field 186 contains data representing the units of time represented in time range field 184. Together, time range field 184 and time units field 186 identify the relative time range of the 50 annotation represented by annotation entry 180. This relative time range corresponds to a particular segment of the media content to which annotation entry 180 is associated. The begin and end times for the annotation are provided by the user via interface 152 of FIG. 3, or alternatively can be 55 automatically or implicitly derived using a variety of audio and video signal processing techniques, such as sentence detection in audio streams or video object tracking.

Regarding to claim 1, appellant argued at page 11 that Gupta does not teach "providing a set of annotation structures, each associated with one or more of the annotatable data objects and each defining attributes of one or more user interfaces for manipulating annotations for the annotatable data objects, wherein the one or more user interfaces comprises at least one graphical user interface, based on an associated annotation structures". Appellant, however, admitted that the cited portions and figures of Gupta teaches "an annotation storage structure includes a plurality of fields" and "user interface which enables a user to create new annotation" . Gupta therefore anticipates this limitation in view of appellant's interpretation of Gupta's teaching.

Appellant further argued that "nowhere in the cited passages or figures is an annotation structure that defines attributes of a user interface disclosed". On the contrary, as discussed above, Gupta teaches an annotation structure as shown in Fig. 4, which defines attributes of a user interface as shown in Fig. 7. Gupta teaches at Col. 12 lines 55 to Col. 13 lines 1-32 that:

"Dialog box 280 includes an annotation set identifier 282, a subject line 284,"

"**subject line284 is stored in the tile field 190 of the annotation entry** of Fig. 4 which clearly shows the direct relationship between annotation structure and the user interface.

Gupta further teaches that:

"annotation server 10 of Fig. 3 supports read and write access controls, allowing the creator of the set to identify which users are able to read and/or write to the

annotation set. In this embodiment, **only those sets for which the user has write access can be entered as set identifier 282**. Alternatively, rather than user selection of an annotation set, one or more **annotation sets may be inherently associated with dialog box 280 and thus implicitly selected for each new annotation"**

Gupta also teaches at Col. 9 lines 15-25 Set identifier field 198 of the annotation entry stores data that identifies one or more sets to which annotation entry 180 belongs, which include "instructor's comments", "assistant's comments", "Student's question".

Therefore, in Gupta, the attributes of the graphic user interface is defined by the annotation structures because different users will have assess to different attributes of the user interfaces based on the role and/or access level of the users defined in the annotation structures.

Appellant further argued that Gupta does not disclose "providing one or more transformation for use in transforming annotations structure into graphic user interface". On the contrary, Gupta teaches at Fig. 3 a set of annotation structure 17, 18 in **SQL relational format** (See Col. 7 lines 5-10) **are transformed to HTML** to be rendered and displayed to the user to the browser 153 in form of the dialog box shown as Fig. 7. Gupta teaches at Col. 12 line 55 to Col. 13 line 30 that the "Add new annotation" dialog box includes "a drop-down menu" which allows user to select an annotation set, and only those sets for which the user has write access can be entered or selected. Gupta's

"Add new annotation" dialog box is therefore customized for different users and generated from data in the annotation structures as claimed.

Regarding claim 15, appellant argued that Gupta does not teach "retrieving one or more annotation structure associated with a data object and dependent, at least in part, on at least one credential of a user initiating the request, wherein the at least one credential comprises a role of the user". On the contrary, as discussed above, Gupta teaches at Col. 12 line 55 to Col. 13 line 30 that the "Add new annotation" dialog box includes "a drop-down menu" which allows user to select an annotation set, and only those sets for which the user has write access can be entered or selected. Gupta's "Add new annotation" dialog box is therefore customized for different users and generated from data in the annotation structures as claimed. Gupta also teaches at Col. 9 lines 15-25 Set identifier field 198 of the annotation entry stores data that identifies one or more sets to which annotation entry 180 belongs, which include "instructor's comments", "assistant's comments", "Student's question", which implies different roles of the user such as "instructor", "assistant", or "student" having different credentials or access levels.

Regarding claims 25, 30, appellant argued that Gupta does not teach "receiving a request from one of the applications to create an annotation for a data object comprises receiving the request from a plug-in component that provides an interface between the requesting application and the executable component for managing

annotations". On the contrary, as seen in Fig. 3 above, Gupta teaches the MAWS 130, which is a plug-in for the IIS module 135, that provides an interface between requesting application (i.e., Web Browser 153) and the executable component for managing annotation (i.e., ABE 132). Further, the user interface 152 could also be consider "a plug-in component" for the web browser 153, which sends a request to annotation server 10 and provide an interface between the requesting application (i.e., browser 153) and the executable component for managing annotation (i.e., "annotation server 10).

Appellant argued that the MAWS 130 is part of the annotation server 10, whereas claim 30 discloses "the application plug-ins are not part of the annotation server" as shown in Fig. 2 of the application. The examiner respectfully submits that the languages of claim 30 does not require the application plug-in are not part of the annotation server". It is apparent that individual software components within a server can communicate with each other via API functions.

Gupta further teaches at Col. 6 lines 30-40 different application plug-ins on the client side such as "a user interface module 152" which communicated with the annotation server via annotation back end model 151, which translate user actions into commands (i.e. "API functions") destined for server 10. Gupta also teaches the well-known ActiveX browser plug-in that display an annotation interface for streaming video on the web.

For the above reasons, it is believed that the rejections should be sustained.

(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the

Related Appeals and Interferences section of this examiner's answer.

Respectfully submitted,

/Khanh B. Pham/

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Conferees:

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